

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF VIRGINIA

**NORFOLK DIVISION**Wednesday, February 16, 2022**MINUTES OF PROCEEDINGS IN** Open Court**PRESENT:** THE HONORABLE RAYMOND A. JACKSON, U.S. DISTRICT JUDGEDeputy Clerk: P. ThompsonReporter: Carol Naughton, OCR

Set: 9:30 a.m.	Started: 9:30 a.m.	Ended: 5:00 p.m.
Case No. 2:19cr47		
United States of America		
v.		
David Alcorn and Aghee William Smith, II		
AUSAs Melissa O'Boyle, Elizabeth Yusi and Andrew Bosse appeared on behalf of the Government.		
Attorney Richard Yarrow, c/a appeared with defendant David Alcorn, on bond.		
AFPD's Lindsay McCaslin and Andrew Grindrod appeared with defendant Aghee Williams Smith, II, on bond.		
Matter came on for trial by jury (Day #10).		
Petit jurors (12 & 5 alternates) appeared pursuant to adjournment last evening, 2/15/22.		
Out of the presence of the jury, juror #23 excused for reasons stated on the record.		
Govt. continued presentation of evidence - witness testified.		
Exhibits admitted.		
Objections heard and rulings made.		
Government rest.		
(Lunch Recess: 1:00 pm - 2:30 pm)		
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Outside of the presence of the jury, defendant David Alcorn Motion for Judgment of Acquittal as to all counts - Argued - Court DENIES Rule 29 Motion for Judgment of Acquittal as to all counts for reasons stated on the record.		
Outside of the presence of the jury, defendant Aghee William Smith, II Motion for a Rule 29 Judgment of Acquittal as to all counts - Argued - Court DENIES Rule 29 Motion for Judgment of Acquittal as to all counts for reasons stated on the record.		
Outside of the presence of the jury, Court advised defendant David Alcorn of his right to testify. Mr. Alcorn will not testify.		
Defendant Alcorn presents evidence - witnesses sworn and testified.		
Exhibits admitted.		
Objections heard and rulings made.		
Defendant Alcorn rest.		
Outside of the presence of the jury, defendant Alcorn renewed Motion for Judgment of Acquittal - Court reserved ruling.		
Outside of the presence of the jury, Court advised defendant Aghee William Smith, II of his right to testify. Mr. Smith will not testify.		
Defendant Smith presents evidence - witness sworn and testified.		
Exhibits admitted.		
Objections heard and rulings made.		
Jurors excused and Court adjourned to return at 9:30 a.m. on Thursday, 2/17/22.		